THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition (M/S) No. 1276 of 2006

1. Dinesh Chandra S/O Sri Shanti Prasad, R/O village Badshi, Patti Gamri, Tehsil Dunda, District Uttarkashi.
2. Ramanand Baluni S/O Maheshwar Prasad Baluni, R/O village Mandon Tehsiol Bhatwari, District Uttarkashi.
3. Smt. Meena Nautiyal W/O Sri Jai Prakash Nautiyal R/O village Gorsada, Tehsil dunda, District Uttarkashi.

… **Petitioners.**

Versus

1. State of Uttaranchal through Secretary, Education (Basic), Civil Secretariat, Dehradun.
2. Director, School Education, Government of Uttaranchal, Dehradun.
3. Additional Director, State Council of Education, Research and Training, Uttaranchal Tehri Garhwal (SCERT)/
4. District Basic Education Officer (BSA) District Uttarkashi.
5. Principal, District Institute of Education and Training Barkot, District Uttarkashi.

… **Respondents.**

Sri H.M. Raturi, learned counsel for the petitioner.
Sri R.C. Arya, learned standing counsel for the State-respondents.

Dated September 07, 2006.
PC:
(Hon'ble B.S. Verma, J.)

(Interim Relief Application No. 11474 of 2006)

Heard learned counsel for the parties and perused the record.

Notices have been accepted by the learned Standing Counsel on behalf of the respondents.

By means of this writ petition, the petitioners seek mandamus of this Court directing the respondents to admit the petitioners in Special B.T.C. Course pursuant to advertisement dated 9-7-2006 issued by respondent no.3 so far as it relates to District Uttarkashi.

The petitioners are aggrieved for having not been given admission to Special B.T.C. Training Course for the session 2006-07 in contravention of the directions issued by this Court in Writ Petition No. 5576(S/S) of 2001 Murari Prasad and others Vs. State of U.P. and others.

In the course of arguments, the learned counsel for the petitioners submitted that similar controversy was decided by this Court in Writ Petition No. 930 of 2006 (M/S) Kendra Singh and others Vs. State and others on 19-7-2006 vide order dated 19-7-2006. It has been urged that the present case being on the same footing may be decided in terms of the said judgment.

I have gone through the order dated 19-7-2006 passed in Writ Petition No. 930 of 2006 (M/S). Learned Standing Counsel has conceded that the controversy in the present writ petition stands answered by the judgment passed by this Court in the aforesaid Writ Petition. In this view of the matter, this writ petition may be decided in terms of the order dated 19-7-2006 passed by this Court in Writ Petition No. 1930 of 2006 (M/S) Kendra Singh Chauhan and others Vs. State and others.

Accordingly, in view of the said order dated 19-7-2006, the present writ petition is disposed of finally and the respondents are directed to consider the claim of the petitioners in accordance with law subject to the restriction imposed by N.C.T.E. within one month from the date of production of the certified copy of this order in terms of the order of this Court referred to above. No order as to costs.

(B.S. Verma, J.)

RCP